

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 2 and 12-19 are pending in this application. Claim 2 is independent. Claims 2 and 12-19 are hereby amended. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the specification as originally filed, specifically at pages 7-10 and Figures 1 and 5.

It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 2, 12-15, and 18-19 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,536,041 to Knudson, et al. (hereinafter, merely "Knudson") in view of U.S. Patent No. 6,583,825 to Yuen, et al. (hereinafter, merely "Yuen"). Claims 16-17

were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Knudson in view of Yuen in further view of U.S. Patent No. 5,121,430 to Ganzer, et al. (hereinafter, merely “Ganzer”).

The disclosure in the Specification of a random number generator (207) in Figures 1 and 5, and described on pages 7-10, explain that the random time is used to modify the determined time in order to randomly distribute the load on the server.

Claim 2, as amended, recites, *inter alia*:

“An information processing apparatus comprising ...

a random number generator for generating a random time...

wherein the random time is used to modify the determined time...” (Emphasis added)

As understood by Applicants, Knudson relates to a program guide system in which an interactive television program guide is implemented at least partially on user television equipment receives program listings data and real-time data such as sports scores, news data, and the like.

As understood by Applicants, Yuen relates to embedding multiple channel maps in a television transmission and the appropriate channel corresponding to the particular television service used by the viewer is downloaded for use with the television receiver.

Applicants respectfully submit that nothing has been found in Knudson and Yuen, taken alone or combination, that would disclose or suggest the above-identified features of claim 2. Specifically, Applicants submit that Knudson and Yuen fail to teach or suggest a random number generator for generating a random time, where the random time is used to modify the determined time, as recited in claim 2.

Applicants respectfully submit that Ganzer does not provide the disclosure missing from Knudson and Yuen.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from independent claim 2 discussed above, and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

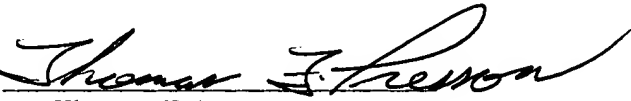
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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